United Nations A/C.1/51/PV.20

# General Assembly

Fifty-first session

*Official Records*

## First Committee

**20**th Meeting

Tuesday, 12 November 1996, 10 a.m.

New York

*Chairman*: Mr. Sychou ..... (Belarus)

*The meeting was called to order at 10.25 a.m.*

**Agenda items 60, 61 and 63-81** (*continued*)

**Action on draft resolutions submitted on all disarmament and international security agenda items**

**The Chairman:** As announced yesterday, the Committee will first proceed to take a decision on the following cluster 1 draft resolutions, on which action had been postponed: draft resolutions A/C.1/51/L.3, L.21, L.37 and L.45. The Committee will then take a decision on draft resolutions contained in cluster 3, "Conventional weapons": draft resolutions A/C.1/51/L.16, L.35, L.40 and L.46. If time permits, the Committee will proceed to take action on draft resolutions in cluster 4, "Regional disarmament and security": draft resolutions A/C.1/51/L.31 and L.44.

In view of pending budget implications, I have been requested by a number of delegations to postpone action on draft resolution A/C.1/51/L.3. We will also postpone action on draft resolutions A/C.1/51/L.16, L.37 and L.46, as some delegations need more time for consultation on them.

**Mr. Akram** (Pakistan): My delegation also requests deferment of action on draft resolution A/C.1/51/L.44.

**The Chairman:** The Committee will take note of the request of the representative of Pakistan.

The Committee will now proceed to take a decision on the remaining draft resolutions contained in cluster 1. I first call on the representative of Algeria to make a general statement on cluster 1.

**Mr. Mesdoua** (Algeria) (*interpretation from French*): I know that action on draft resolution A/C.1/51/L.37 has been postponed, but my delegation would like to make a general statement on the 8 July 1996 Advisory Opinion of the International Court of Justice (ICJ) on the legality of the threat or use of nuclear weapons. This Advisory Opinion is important and historic, as it establishes the rule that the use of nuclear weapons is indeed contrary to customary international law and to international instruments such as the Geneva and Hague Conventions. It also recognizes that there exists an obligation to pursue and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under the strict and effective international control.

There is no doubt that, by issuing this Advisory Opinion, the advisory competence of the Court has been expanded and gained unquestionable political significance. Indeed, this will further strengthen standard-setting work in the field of disarmament. As a result, the cause of nuclear disarmament has now made a qualitative leap forward, and is strengthened by the unanimous response of the Court that obligations exist to continue and complete negotiations leading to nuclear disarmament in all is aspects under strict and effective control. The Advisory Opinion of the ICJ is, in the last analysis, a remarkable step for the non-aligned cause in the field of disarmament, even if for some it remains a modest one. That is why my delegation is a sponsor of draft resolution A/C.1/51/L.37, and will support it, thereby paying tribute to the role of the International Court of Justice.

**The Chairman:** The Committee will now proceed to take a decision on draft resolutions contained in cluster 1,

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beginning with draft resolution A/C.1/51/L.21. I will now call on the representative of the United States of America who wishes to explain his vote before a decision is taken on this draft resolution.

**Mr. Ledogar** (United States of America): The United States will vote against draft resolution A/C.1/51/L.21, "Bilateral nuclear-arms negotiations and nuclear disarmament", which is sponsored by the Non-Aligned Movement. We all know that draft resolution A/C.1/51/L.21 is a counter-text to the Russian-United States draft resolution on bilateral nuclear arms negotiations and nuclear disarmament, draft resolution A/C.1/51/L.45.

There are several significant differences between the two draft resolutions. Unlike the Russian-United States text, draft resolution A/C.1/51/L.21 avoids any mention of the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). It also purposely avoids any of the consensus language from the NPT document on principles and objectives for nuclear non-proliferation and disarmament. For example, language on general and complete disarmament is missing, and language on nuclear disarmament is rewritten and distorted to highlight the final declaration of the Cartagena Conference rather than the Non-Proliferation Treaty.

Furthermore, parts of the draft resolution are patently untrue. For example, the seventh preambular paragraph claims that the nuclear-weapon States have expressed a commitment — not a determination, as is clearly specified in the NPT document on principles and objectives — to pursue systematic and progressive efforts to reduce nuclear weapons globally. Moreover, draft resolution A/C.1/51/L.21 seems to purport that the nuclear-weapon States will reduce nuclear weapons within a time-bound framework. I can assure the Committee that the United States was never asked to sign on to the Cartagena declaration — nor were we involved in its negotiation. We are certainly not bound by its language.

In closing, the United States regrets that the Non-Aligned Movement elected to introduce draft resolution A/C.1/51/L.21, as it did a similar text last year, especially since the non-aligned countries have several other draft resolutions on the docket relating to nuclear disarmament. What purpose can draft resolution A/C.1/51/L.21 serve, other than divide United Nations Member States on such an important topic? The Non-Aligned Movement this year even refused any attempts to merge the text. This reveals the true intent of a handful of non-aligned countries never to miss an opportunity to belittle achievements in bilateral nuclear-arms negotiations and nuclear disarmament as a whole.

The United States will therefore push the red button when voting on draft resolution A/C.1/51/L.21, and I urge others to do the same. The voting results on this counter-draft resolution — and on the original Russian-United States bilateral nuclear arms negotiation that it is designed to belittle — will have far more impact on my Government's attitude towards the concept of a fourth special session of the General Assembly devoted to nuclear disarmament than will all the rhetoric that we have heard alleging genuine desire in the international community to seek progress towards nuclear disarmament.

**The Chairman:** The Committee will now proceed to take action on draft resolution A/C.1/51/L.21.

A recorded vote has been requested. I call on the Secretary of the Committee to conduct the voting.

**Mr. Lin Kuo-Chung** (Secretary of the Committee): Draft resolution A/C.1/51/L.21, entitled "Bilateral nuclear-arms negotiations and nuclear disarmament", was introduced by the representative of Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-aligned Countries, at the 14th meeting of the Committee, on 4 November 1996.

*A recorded vote was taken*

*In favour:*

Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Guatemala, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Samoa, Saudi Arabia, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zimbabwe

*Against*:

Andorra, Armenia, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Israel, Italy, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining*:

Argentina, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Cyprus, Ireland, Japan, Kazakstan, Kyrgyzstan, Latvia, Liechtenstein, Malta, New Zealand, Paraguay, Republic of Korea, Sweden, Tajikistan, Ukraine

*Draft resolution A/C.1/51/L.21 was adopted by 83 votes to 36, with 21 abstentions.*

[Subsequently, the delegations of Benin, Costa Rica, Nigeria and Zambia informed the Secretariat that they had intended to vote in favour; Latvia had intended to vote against; Turkmenistan had intended not to participate.]

**The Chairman:** I now call on those representatives wishing to explain their vote after the voting.

**Mr. Berdennikov** (Russian Federation) (*interpretation from Russian*): The Russian delegation voted against draft resolution A/C.1/51/L.21, introduced by Colombia on behalf of the States Members of the United Nations that are members of the Movement of Non-aligned countries. This is a counter-text to the draft resolution with the same title in document A/C.1/51/L.45, whose sponsors include the Russian Federation.

We regret to note that draft resolution A/C.1/51/L.21 has all the shortcomings of last year's text on the same subject, which was sponsored by the same Member States. It distorts the truth. In the seventh preambular paragraph, for example, the desires of the sponsors are presented as reality; that is wishful thinking. Once again, the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is ignored, as are the other important decisions taken at the 1995 Review and Extension Conference of the States Parties to the NPT.

But this year the sponsors of draft resolution A/C.1/51/L.21 have even further increased the shortcomings of their text. They did not find it possible to refer to the important results of the 1996 Moscow Summit on Nuclear Safety and Security, and also included a highly selective reference to the Advisory Opinion of the International Court of Justice that does not reflect all of the elements of that multifaceted document. In view of this, the delegation of the Russian Federation was forced, as was the case last year, to vote against this draft resolution.

**Mr. Horin** (Ukraine): Ukraine abstained in the vote on the draft resolution contained in document A/C.1/51/L.21. Ukraine pays great attention to problems of practical nuclear disarmament. As members know, my State was the first to voluntarily renounce nuclear weapons, and by June 1996 Ukraine had completed the processes of removing nuclear warheads from its territory. Unfortunately, these facts are not adequately reflected in the draft resolution. These practical achievements in the sphere of nuclear disarmament are not recognized in the text. At the same time, Ukraine has encountered serious economic and social problems on its path to nuclear disarmament, and our experience shows clearly that this important and very complex process should not be burdened by a time-bound framework, which can only complicate the issue.

**The Chairman:** The Committee will now proceed to take action on draft resolution A/C.1/51/L.45.

I will now call on those members of the Committee wishing to explain their position or vote before a decision is taken on this draft resolution.

**Mr. Akram** (Pakistan): The Pakistan delegation has very carefully studied the draft resolution contained in document A/C.1/51/L.45. We have certain reservations regarding some of its provisions, which convey the impression of complete satisfaction with the limited steps towards nuclear disarmament taken so far. We also have reservations about omission of a commitment to multilateral negotiations on nuclear disarmament, especially within the Conference on Disarmament, the single multilateral negotiating body on nuclear disarmament.

It is our view, however, that this process must be encouraged and supported, and we have therefore decided to vote in favour of the draft resolution contained in document A/C.1/51/L.45, paralleling our support for the draft resolution in document A/C.1/51/L.21, which has just been adopted by the Committee.

**Mr. Nsanze** (Burundi): My delegation would like to express briefly some of its views on draft resolution A/C.1/51/L.45. In our view, each draft resolution contains imperfections. We realize too that there is a proliferation of draft resolutions, although they all aim at one single ultimate goal: general and complete disarmament. Taking into account the fact that each draft resolution, in spite of its defects, is either a small or an important step towards general and complete disarmament, we think that all such draft resolutions deserve a considerate approach instead of antagonistic positions from delegations. Therefore, for want of a perfect, definitive and final United Nations position on this issue, we will, of course, have to resort to piecemeal positions and decisions towards the ultimate goal. In line with this principle and premise, which is cherished by my Government, my delegation will vote in favour of draft resolution A/C.1/51/L.45.

**The Chairman**: The Committee will now proceed to take action on draft resolution A/C.1/51/L.45.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

**Mr. Lin Kuo-Chung** (Secretary of the Committee): Draft resolution A/C.1/51/L.45, entitled "Bilateral nuclear arms negotiations and nuclear disarmament", was introduced by the representative of the United States of America at the 17th meeting of the Committee, held on 7 November 1996. In addition to the sponsors listed in the draft resolution and that appearing in document A/C.1/51/Inf.3, it was also sponsored by Latvia.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Suriname, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

*Against*:

None

*Abstaining*:

Burkina Faso, Cuba, Democratic People's Republic of Korea, India, Indonesia, Iran (Islamic Republic of), Lebanon, Myanmar, Sri Lanka, Syrian Arab Republic, Uganda, United Republic of Tanzania

*Draft resolution A/C.1/51/L.45 was adopted by 129 votes to none, with 12 abstentions.*

[Subsequently, the delegations of Gabon and Nigeria informed the Secretariat that they had intended to vote in favour.]

**The Chairman:** I now call on those delegations wishing to explain their votes after the voting.

**Mr. Parnohadiningrat** (Indonesia): Indonesia wishes to briefly explain its position on the draft resolution contained in document A/C.1/51/L.45, entitled "Bilateral nuclear arms negotiations and nuclear disarmament". While we agree with the general thrust of the text, it departs in significant ways from resolutions 49/75 L, sponsored by the non-aligned countries and adopted by consensus, and 49/75 P, sponsored by the United States of America, the Russian Federation and other States, which we supported.

The present draft resolution is conspicuous by its omission of any reference to the primary responsibility of nuclear-weapon States with respect to general and complete disarmament, in particular nuclear disarmament. It lacks elements or programmes of nuclear disarmament. The references to the ultimate elimination of those weapons, in

both the preambular and the operative parts, would not suffice in the context of the priority accorded to these questions by the international community. The draft resolution also fails to make reference to the unanimous decision rendered by the International Court of Justice (ICJ) concerning the obligation of nuclear-weapon States to pursue negotiations in good faith leading to nuclear disarmament under strict and effective international control. My delegation is of the view that the decisions of the Court constitute an extremely important element towards our achievement of the goal of nuclear disarmament. We are therefore doubtful of the commitment on the part of the lead sponsor of draft resolution of A/C.1/51/L.45 to engage in good faith in negotiating leading to nuclear disarmament. It is for those reasons that my delegation decided to abstain in the vote on this draft resolution.

**Ms. Rattanathikom** (Thailand): I wish to explain Thailand's vote on the draft resolution entitled "Bilateral nuclear arms negotiations and nuclear disarmament", contained in document A/C.1/51/L.45. My delegation wishes to place on record that Thailand's support for that draft resolution is based on Thailand's firm and consistent stand on the issues of nuclear non-proliferation and nuclear disarmament. It is based also on our belief that nuclear negotiations at all levels, both in bilateral and multilateral forums, can only serve to complement and assist one another in realizing their common goals.

In spite of my delegation's support for the main thrust of the draft resolution, we are not fully satisfied with its content. In my delegation's opinion, despite its many constructive elements, the draft resolution does not adequately reflect the sentiment of the international community on this very important subject. We believe that the majority of States wish to see a time-bound framework for the elimination of the nuclear threat and all nuclear weapons, and that the Conference on Disarmament should be allowed to play a greater role in nuclear disarmament negotiations. It is truly unfortunate that these two crucial ingredients have not been incorporated into this draft resolution. My delegation hopes that in the future, instead of having to adopt two separate draft resolutions on the same subject, the First Committee and the General Assembly will be able to render unanimous support for a single draft resolution on nuclear disarmament negotiations that is comprehensive and acceptable to all.

**Ms. Ghose** (India): I do not wish to indulge in any belligerent rhetoric in this Committee. We feel this is an extremely important subject and we treat it with the seriousness it deserves. The issue of bilateral nuclear arms negotiations and nuclear disarmament is, as has been pointed out, the subject of two draft resolutions, both of which we have just adopted. Both these draft resolutions were submitted individually. We do not see one as being a reaction to the other. This points to the fact there is a difference of perception about the pace, scope and results of these bilateral negotiations.

We welcome the efforts that have been made in the past few years to take advantage of the positive post-cold-war climate to make progress in bilateral arms control. However, after the initial promise, these efforts appear to have suffered a setback, since the START II Treaty has not yet entered into force. We need, however, to keep in mind that these are essentially efforts at arms control, and that a reduction in the number of weapons can often be made up for by qualitative developments. Even if the START II Treaty were to enter into force and be fully implemented, there would still remain, after the time-frame of the year 2003, arsenals of 3,000 and 3,500 warheads respectively for the two major nuclear-weapon States.

This process also suffers from the disadvantage of being only a bilateral process that does not encompass the other nuclear-weapon States. Clearly, these bilateral reductions need to be a part of multilateral and comprehensive negotiations on nuclear disarmament leading to the total elimination of these weapons within a time-bound framework.

At the same time, we believe that the process of bilateral negotiations should be taken as far as it can go, and we encourage the States engaged in these negotiations in this endeavour. There is an urgent need for the two major nuclear-weapon States to intensify their efforts to implement existing agreements and begin work on deep reductions, and for the process to be expanded at the same time to the nuclear arsenals of the other nuclear-weapon States.

It is for these reasons that we support the approach of the Non-Aligned Movement draft resolution contained in A/C.1/51/L.21 on this subject, and that, given the absence of these elements in A/C.1/51/L.45, we were constrained to abstain in the vote on the latter draft resolution.

**Mr. Horin** (Ukraine): The delegation of Ukraine supported the draft resolution contained in document A/C.1/51/L.45. However, my delegation believes that this text fails adequately to reflect the real contribution to the process of nuclear disarmament made by Ukraine and a number of other States. We regret that the voluntary renunciation of nuclear weapons by Ukraine, as well as by

Belarus and Kazakstan, which is recognized in General Assembly resolution 50/70 R, is not reflected in this draft resolution.

**Mr. Mesdoua** (Algeria) (*interpretation from French*): Despite the shortcomings of draft resolution A/C.1/51/L.45, entitled "Bilateral nuclear arms negotiations and nuclear disarmament", on which we just voted, my delegation voted in favour of it because my delegation supports all measures and initiatives aimed at nuclear disarmament.

**Mr. Moradi** (Islamic Republic of Iran): I wish to explain the position of my delegation on draft resolution A/C.1/51/L.45. We sympathize with the basic thrust of that draft resolution, entitled "Bilateral nuclear arms negotiations and nuclear disarmament". However, my delegation abstained in the vote on this draft resolution for the following reasons: first of all, this draft resolution departs from the principled position of the non-aligned countries, partially reflected in another draft resolution before this Committee, contained in document A/C.1/51/L.21. Secondly, no reference is made to the historic Advisory Opinion of the International Court of Justice on the illegality of nuclear weapons. The third reason is the self-satisfied tone of the draft resolution regarding the state of affairs of nuclear disarmament negotiations. Fourthly, this draft resolution contains some elements which my delegation has no means of substantiating or verifying, such as those in the thirteenth preambular paragraph, which welcomes the significant reductions made by other nuclear-weapon States, and a number of other references in the text.

Finally, by the fifth preambular paragraph the General Assembly would appreciate the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons and acknowledge the importance of the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally. On this particular point, my delegation continues to maintain that so long as the decisions taken at that historic conference are not implemented, we are not in a position to appreciate its outcome.

**Mr. Pham Quang Vinh** (Viet Nam): Viet Nam fully supports the draft resolution contained in document A/C.1/51/L.21, presented by the Non-Aligned Movement, on the question of bilateral nuclear disarmament and negotiations. We also voted in favour of draft resolution A/C.1/51/L.45, on the same subject, but in the earnest expectation that the nuclear-weapon States will undertake steps to further reduce their nuclear weapons arsenals and to fulfil their commitment to and primary responsibility for disarmament. We believe that the next time the Committee should work together towards the adoption of a single draft resolution, taking into account the positive elements of the two texts, which are both aimed at nuclear disarmament.

**Mr. Al-Hariri** (Syrian Arab Republic) (*interpretation from Arabic*): I should like to explain the position of my delegation regarding draft resolution A/C.1/51/L.45. My country supports bilateral nuclear arms negotiations and nuclear disarmament. However, we abstained on the draft resolution in document A/C.1/51/L.45 because it does not reflect the position of the Non-Aligned Movement and refers to the extension of the Treaty on the Non-Proliferation of Nuclear Weapons. We were opposed to this, although we were among the first signatories of that Treaty.

**The Chairman**: The Committee will now proceed to take a decision on draft resolutions contained in cluster 3: conventional weapons. Before doing so, I shall call on those delegations wishing to introduce a draft resolution or make general statements other than explanations of positions or votes on draft resolutions contained in cluster 3.

I now call on the representative of Cuba to introduce document A/C.1/51/L.50, which contains amendments to draft resolution A/C.1/51/L.46.

**Mr. Rivero Rosario** (Cuba) (*interpretation from Spanish*): The delegation of Cuba would like to introduce document A/C.1/51/L.50 to the Committee. It was circulated today and contains amendments to draft resolution A/C.1/51/L.46 on an international agreement to ban anti-personnel landmines.

The operative part of draft resolution A/C.1/51/L.46 urges all States to pursue an international agreement to prevent the use, stockpiling, production and transfer of anti-personnel landmines with a view to completing the negotiations as soon as possible.

The opening of such new negotiations would undoubtedly be seen as a willingness to adopt stronger measures than those formulated last May in the framework of the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which adopted amended Protocol II on landmines, booby traps and other devices.

Our delegation believes that what was achieved in May was the most that could have been achieved at that time.

However, there have since been new initiatives which aim to try to move closer towards a prohibition of anti-personnel landmines. If we analyse the contents of the 11 preambular and six operative paragraphs, it is not at all clear, at least to my delegation, whether what we are trying to obtain falls within the sphere of humanitarian law or of disarmament.

However, disregarding the question of the nature of the negotiating forum itself, and of the negotiating framework, the delegation of Cuba is exceedingly concerned at the fact that while these negotiations deal with a kind of weapon that many countries use for defence, the question of the right of all States to self-defence, enshrined in the Charter of the United Nations, is completely ignored by the draft resolution, which will distort future negotiations.

In the view of the delegation of Cuba, it is essential to include a brief preambular paragraph and a reference in the operative part of the draft resolution to the right to self-defence so that it can guide future negotiations and so that the interests of all States can be safeguarded.

Although it seems obvious, we must remember that this draft resolution calls for negotiating the complete, comprehensive prohibition of anti-personnel landmines, and that independent of the irresponsible or indiscriminate use of landmines on many occasions, it is no secret to anyone that even now, many countries use landmines to defend themselves against foreign aggression. So in essence, this is really an attempt to eliminate a conventional weapon from means that many countries depend upon and use to defend their sovereignty and territorial integrity. We all know the positions that have been maintained by nuclear Powers in the Conference on Disarmament and here in the General Assembly when the international community calls for nuclear disarmament.

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has been around for more than 25 years and still the promises it made have not been kept, namely to negotiate, in good faith, the elimination of nuclear weapons. Just yesterday we heard an interesting and no less revealing statement by the representative of a nuclear Power, the United States, who when referring to a convention on the prohibition of the use of nuclear weapons said that his country would not agree to its sovereignty being affected and accordingly would never sign a convention such as the one proposed.

When we look at the situation in which the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction finds itself, it is a matter of concern to note that neither of the two largest possessors of chemical weapons has ratified it, and that, having obtained the necessary number of ratifications, the Treaty can now come into effect and is thus binding on those that do not possess chemical weapons, which really turns it into a non-proliferation treaty.

The desire to prevent the arms race in outer space is still no more tangible than the unheeded calls made by many countries for measures to prevent the development of radiological weapons.

In sum, it is obvious that a group of countries finds it impossible to negotiate on weapons that threaten humanity, our countries and our environment, while they seem nonetheless to see divine justification and an urgent need to prohibit countries that do not have nuclear weapons or weapons of mass destruction and neither contemplate nor prepare for any wars in outer space from having certain means of defence.

From my delegation's perspective, the only safeguard that the small countries can have in any negotiations conducted in the framework of humanitarian law or of disarmament is for the right of States to self-defence to be explicitly recognized. We think that our proposal supplements draft resolution A/C.1/51/L.46 without in any way modifying its contents. Thus we hope that it will be supported, even by the sponsors of that text. My delegation trusts that, in conformity with the working procedures of our Committee, consideration of draft resolution A/C.1/51/L.46 will be deferred.

**Mr. de Icaza** (Mexico) (*interpretation from Spanish*): The delegation of Mexico takes particular pleasure in supporting draft resolution A/C.1/51/L.16 on measures to curb the illicit transfer and use of conventional arms. We actively participated in the Disarmament Commission when it prepared the guidelines for international arms transfers that draft resolution A/C.1/51/L.16 welcomes. At the recent summit of the Rio Group in Cochabamba, Bolivia, the President of Mexico proposed a convention to deal with illegal arms trafficking, and there will soon be a regional meeting in Cancun with a view to beginning consultations and negotiations to that end.

In this area, as with most all conventional disarmament matters, regional measures offer great promise for achieving positive and concrete results that will enhance security in regions and in the States belonging to them. Mexico is a

sponsor of draft resolution A/C.1/51/L.44 on conventional arms control at the regional and subregional levels.

The delegation of Mexico does not appear among the sponsors of A/C.1/51/L.40 on the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects. Mexico's respect for that Convention cannot, however, be questioned. We were among the very small number of delegations that took the initiative in 1974, at the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, to draw up prohibitions and restrictions on the use of specific conventional weapons. The 1980 Convention was a result of a Mexican proposal at the 1976 Lugano conference that a general convention be prepared, adding to it protocols on the use of certain conventional weapons. However, my delegation was not satisfied with the results of the Review Conference of the States Parties to the Convention which concluded in May, in particular with regard to Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices. In the general debate we had an opportunity to express our disappointment that the Review Conference was only able to prohibit undetectable mines and our reservations on the authorization of the use of self-destructing or self-neutralizing landmines — an authorization which promotes the production and use of a sophisticated and costly weapon which if used widely, as mines usually are, would continue to wreak havoc among civilian populations. My delegation considers that the General Assembly should not recall with satisfaction the adoption of the amended Protocol II, which does not satisfactorily put an end to the vast human tragedy that anti-personnel landmines cause. We support, but are not sponsoring draft resolution A/C.1/51/L.40. The Government of Mexico stands ready, however, to ratify the new Protocol IV on Blinding Laser Weapons.

My Government is an enthusiastic sponsor of the draft resolution contained in A/C.1/51/L.46, because it is an accurate reflection of my country's desire to achieve as soon as possible the total elimination of anti-personnel landmines. Mexico attended the Review Conference for the 1980 Convention with the firm intention and the hope of ending a tragedy that is of vast proportions, afflicting daily the civilian population, which is exposed to the more than 100 million such devious artifacts ready to explode under innocent feet. In Ottawa, we reiterated our commitment to the rapid and total abolition of landmines. We believe that the public opinion which has been mobilized and the will of States expressed unambiguously in the Ottawa Declaration make this a particularly propitious time for us to achieve our goal. All the technical aspects inherent in the question have already been discussed and considered at the Review Conference and during the preparatory work for it. With political will, we can get an agreement to completely ban anti-personnel landmines in a relatively short time.

The magnitude of the problem requires that the largest possible number of States must participate in the preparation of the Treaty we want to adopt. But what is more important is to have a clear idea of the task. The total prohibition of mines is, first and foremost, in keeping with humanitarian concerns about the fate of civilian populations. Since we have talked about a complete prohibition of the production, stockpiling, transfer and use of landmines and of the need to have a strict and effective control system, perhaps it seems that the necessary negotiations come under the rubric of conventional disarmament. Yet it is humanitarian concerns rather than military concerns that should be the guiding factor in the future negotiations. In military terms, landmines are defensive weapons *par excellence*. But in humanitarian terms, they are highly offensive weapons — offensive against civilian populations. The Conference on Disarmament is not the appropriate place to negotiate a new agreement in this regard. Its mandate focuses on problems relating to peace and security in which militarily defensive weapons such as mines play a secondary role. Conventional disarmament practices have also given rise in the Conference on Disarmament to an overall approach, and the Conference should not and cannot take up weapon after weapon, one at a time. Thus, conventional weapons are different from weapons of mass destruction which, because they are a danger to humanity, have been taken up one by one in the Conference on Disarmament.

The humanitarian tragedy constituted by these landmines calls for an immediate and urgent solution. The Conference on Disarmament is not the best forum to arrive at a solution because of its mandate and its working procedures. Mexico would prefer any forum other than the Conference on Disarmament, beginning with the framework provided for in the 1980 Convention, but not rejecting other ad hoc forums. My delegation calls upon all delegations to give their strong support to draft resolution A/C.1/51/L.46.

In the general debate at the beginning of the proceedings of the First Committee, I said that Mexico would not support any proposal that was not compatible with the aim of achieving, as a matter of urgency, a total ban on the laying, transfer, production and stockpiling of anti-personnel landmines. This is why we will not support proposals that are designed to subordinate respect for human

rights in the context of armed conflict, in accordance with international humanitarian law, to questionable military requirements.

My delegation will be unable to support the amendment put forward by Cuba in paragraph 2 of document A/C.1/51/L.50, which would add a new operative paragraph urging negotiations on banning landmines to take military needs into account.

**Mr. Sow** (Mali) (*interpretation from French*): I would like to make a small correction to the wording of the second preambular paragraph of the draft resolution on "Assistance to States for curbing the illicit traffic in small arms" in document A/C.1/51/L.35. The adjective "illicit" should be inserted after the word "circulation". That paragraph should now read:

> "*Considering* that the illicit circulation of massive quantities of small arms throughout the world impedes development and is a source of increased insecurity".

**The Chairman**: The members of the Committee and the Secretariat will take note of the revision.

**Mr. Campbell** (Australia): I would like to make a statement in connection with draft resolutions A/C.1/51/L.46 on "An international agreement to ban anti-personnel landmines" and A/C.1/51/L.40 on "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or To Have Indiscriminate Effects".

In adopting these draft resolutions, hopefully by consensus, this Committee will take welcome, qualitative steps forward in addressing an issue on which the strength of international feeling grows daily more apparent. That issue is the appalling humanitarian and economic despair brought about by the misuse of anti-personnel landmines.

On 15 April this year, Australia declared its support for a global ban on the production, stockpiling, use and transfer of anti-personnel landmines and unilaterally suspended the operational use of such mines by the Australian defence force. We encourage other countries that have not yet done so to introduce similar unilateral measures and to throw their weight behind the growing international momentum in support of a total ban.

Unilateral measures serve useful practical and political purposes, but a definitive solution to the landmines problem requires multilateral cooperation. Draft resolution A/C.1/51/L.46 is an important step towards that goal. We must act on the call in operative paragraph 1 and enter into negotiations in good faith with the aim of achieving as soon as possible a legally binding instrument banning anti-personnel landmines.

Australia considers the Conference on Disarmament to be the most appropriate forum for negotiating such a treaty. Although the landmines crisis manifests itself as a humanitarian problem, its root cause is the widespread misuse of a cheap, freely available conventional weapon. A solution to the humanitarian problem will therefore require an effective arms control agreement. The Conference on Disarmament is the United Nations arms control negotiating body. It has the necessary expertise and experience to deliver a meaningful treaty, one which is internationally negotiated, global in scope, legally binding and verifiable.

Like many other countries, Australia is disappointed that the review of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or To Have Indiscriminate Effects did not take us closer to the goal of banning anti-personnel landmines. The amended Protocol II is however the only international instrument governing the use and trade in anti-personnel landmines. The enhanced protections, restrictions and prohibitions embodied in the amended Protocol will be important in the period before a total ban is achieved. Twenty ratifications are required to bring the new provisions into force and to initiate the new annual consultative meetings of States parties and associated reporting requirements. These meetings and the 2001 review conference will be important in taking the landmines issue forward.

The Australian Government initiated parliamentary treaty action with respect to amended Protocol II on 15 October 1996 and hopes to be in a position to notify its consent to be bound by the Protocol early in 1997. We hope that other States too will move quickly on ratification in order to bring the amended Protocol into force as soon as possible. We also encourage States to adapt their landmines to the new technical requirements quickly rather than utilizing the nine-year deferral option accepted at the Review Conference.

**Mr. Goonetilleke** (Sri Lanka): I wish to offer some comments on draft resolutions A/C.1/51/L.46 and A/C.1/51/L.16. On the draft resolution on an international agreement to ban anti-personnel landmines, contained in document A/C.1/51/L.46, during the current session of the First Committee, and over the last few years, views have

been expressed by many, including those who have actively supported a ban on anti-personnel landmines, regarding the need for continuing the use of such weapons on a limited or restricted basis. Arguments put forward by them clearly reflect their dependence on landmines in certain circumstances and lead to the conclusion that, while such weapons are acceptable for deployment on a restricted basis, their indiscriminate and irresponsible use is not acceptable to many. Consequently, many countries have concluded that the only way to curb the havoc caused by these weapons is to restrict the export of landmines with the intention of choking off the supply. That is how the export moratorium was applied following the adoption of resolution 48/75 K, thus preparing the road for the present draft resolution contained in A/C.1/51/L.46, which urges the conclusion of an international agreement banning anti-personnel landmines.

One important aspect that has escaped the attention of previous resolutions, beginning with resolution 48/75 K and including the present draft resolution contained in A/C.1/51/L.46, is the fact that anti-personnel landmines are being used increasingly and with devastating results by insurgents and irregular forces. While the moratorium on exports cut off the supplies to Government forces, these irregular forces had no difficulty in obtaining their supplies on the thriving illicit arms market. The second aspect which has escaped the attention of the drafters of the previous resolutions on the subject was the ability of certain irregular forces to manufacture anti-personnel landmines locally without having to depend on imports. The situation in Sri Lanka can be cited as one such example.

In Sri Lanka, insurgents have used undetectable anti-personnel landmines extensively, and as a result many people, particularly civilians and internally displaced persons returning to their former homes, have been killed or injured. The moratorium on the export of the anti-personnel landmines hardly affected the insurgents as they had the capacity to manufacture the mines locally by the thousands. Sri Lanka's experience is a good example of the need to make the international agreement we have in mind applicable to both Governments and irregular forces. Targeting Governments alone will not be sufficient.

Another important factor is the need to have a proper verification system. Anti-personnel landmines can be manufactured using makeshift production lines, which can be moved from place to place. At least that has been our experience. This makes it all the more difficult to verify a ban. It is therefore necessary to consider this matter when negotiations on an international agreement are undertaken.

These and many other issues make it necessary for us to be cautious in our attempts to introduce a global ban on anti-personnel landmines. First we have to decide on the appropriate forum in which to consider the issue. It is also important to agree on the scope of a treaty. If the sponsors are truly serious about introducing an effective ban through an international agreement, they should make arrangements for multilateral negotiations involving all interested countries.

With regard to the comments the Cuban delegation's comments regarding the amendments proposed in A/C.1/51/L.50, my delegation notes that anti-personnel landmines have been used in the past, sometimes quite effectively, to deter aggression by enemy forces in international armed conflicts. Even today, some countries use mines effectively along borders to prevent invasions and military incursions by enemy forces. We think of the lack of viable alternatives to anti-personnel landmines for countries that are faced with such situations. Can we really expect a vulnerable country, threatened by an invasion by an enemy with superior military capabilities, not to act in self-defence by deploying anti-personnel landmines in difficult situations? Or will such fears lead countries which now import such mines to establish their own production lines, thereby defeating the very purpose of an international ban on landmines? These are the questions that occur to our delegation when we examine the issue.

With regard to the new preambular paragraph proposed by the delegation of Cuba in document A/C.1/51/L.50, we see the rationale behind the proposal. But, like the representative of Mexico, we cannot support the new operative paragraph proposed by that delegation, simply because the right to self-defence contained in Article 51 of the United Nations Charter is not a matter that needs negotiation. It should not be taken into account when negotiations are conducted, because I believe all of us agree that we have that right to act in self-defence.

If I may move on to draft resolution A/C.1/51/L.16 on measures to curb the illicit transfer and use of conventional weapons, I recall that during the general debate several delegations, including my own, referred to the adverse effects of the ever-increasing illicit arms trade, particularly on countries that are small or otherwise vulnerable. During the current and past sessions, the end of the cold war has been welcomed by many delegations for the contributions it made to the relaxation of international tensions. However, many delegations have noted that this positive development has resulted in the release of conventional weapons, from small arms to heavy artillery pieces, explosives and other

sophisticated weapons such as surface-to-air missiles. Over the past few years, these weapons have found their way to a number of developing countries, creating massive security problems for them, displacing or forcing tens of thousands of people across their borders, creating chaos and social misery.

The draft resolution contained in document A/C.1/51/L.16 is designed to take appropriate measures to find solutions to this problem. The fourth preambular paragraph highlights the fact that in certain situations mercenaries, terrorists and child soldiers are supplied with weapons acquired mostly from illicit sources. Consequently, the seventh preambular paragraph recognizes the curbing of such illicit arms transfers as an important contribution to the relaxation of tension and peaceful reconciliation processes.

An important development that took place this year was the adoption of a report on international arms transfers by the Disarmament Commission. The report contained guidelines for international arms transfers. This fact is welcomed in operative paragraph 1 of the draft resolution. Related to this positive development is operative paragraph 2's invitation to the Member States to enact adequate national legislation and other measures to exercise effective control over armaments and the import and export of arms to prevent trafficking in illicit arms and to bring offenders to justice. If such legislation and regulations are enacted by the members of the international community as speedily as possible, Sri Lanka is confident that such measures will go a long way towards effectively controlling the illicit arms trade. It is the hope of my delegation that this draft resolution will be adopted by the First Committee by consensus, as was the case with a similar text in 1995.

**Mr. Saenz** (Costa Rica) (*interpretation from Spanish*): I would like to say that Costa Rica supports draft resolution A/C.1/51/L.46, not only as a sponsor but also as a country which has no army and which has been very much affected by the presence of anti-personnel landmines on its land, especially those laid during the past decade.

For those reasons Costa Rica cannot endorse a deferral of action on draft resolution A/C.1/51/L.46 based on the argument that a paragraph must be included on the right of States to self-defence. Costa Rica has been able to live without an army for more than 50 years, and facts have proven that landmines go against human rights. Human rights will always supersede any right to self-defence. I urge other representatives to support draft resolution A/C.1/51/L.46; while it is not perfect and does not contain everything we would wish for, from a realistic viewpoint it is what we have been able to achieve.

I would like also to make a very specific request. There are people who smoke in this room; it affects our health, and I would ask that smoking be prohibited in this room and that representatives who are smoking comply with that request.

**Mr. Lenarčič** (Slovenia): I would like to make a brief statement concerning the matter of anti-personnel landmines as it relates to draft resolution A/C.1/51/L.46, contained in cluster 3. Slovenia strongly supports the initiative on an international agreement to ban anti-personnel landmines, and is a sponsor of the draft resolution. Slovenia wishes to participate actively in efforts aimed at an early conclusion of that agreement, regardless of the venue. In that context, the Government of the Republic of Slovenia adopted on 13 October 1996 a declaration on the position of the Republic of Slovenia regarding anti-personnel landmines. It declared the following:

> "The Republic of Slovenia has never produced or exported anti-personnel landmines, and never will. The Republic of Slovenia strives for a global ban on the use, stockpiling, production and transfer of anti-personnel landmines. The Republic of Slovenia will, in accordance with international efforts, ban the use of anti-personnel landmines and eliminate them completely and immediately following the conclusion of a pertinent international legal agreement."

**Mr. Sha Zukang** (China) (*interpretation from Chinese*): With regard to draft resolution A/C.1/51/L.46 on a ban on anti-personnel landmines, China supports placing appropriate, practical and reasonable restrictions on the use of landmines, especially anti-personnel landmines. We also support the international community's humanitarian efforts to protect innocent civilians from such landmines. For those reasons, China has actively participated in the work to revise the Convention on Certain Conventional Weapons and its Protocol II on landmines. Also, China solemnly declared last April that, pending the entry into force of the newly amended Protocol II, China would not export anti-personnel landmines that do not meet the technical standards contained in that Protocol.

Secondly, landmines, including anti-personnel landmines, are a legitimate means of self-defence for many countries. Countries have the right, in accordance with the principles of the United Nations Charter, to use legitimate

military means, including landmines to protect their security. At a time when some countries do not hesitate to use or threaten force to carry out activities of interference and encroachment on the sovereignty of other States, landmines are still a legitimate means of military defence for countries with large populations and extensive borders that are less developed in the area of military technology and are lacking in advanced defensive weapons.

Thirdly, until effective military alternatives are found, a comprehensive ban on anti-personnel landmines would violate the internationally recognized principle that arms control measures should not diminish the security of States. Countries differ in their political, geographic and security conditions. They also have different military defence needs. Some countries may no longer need landmines, but that is not true of other countries. If we now deny the legitimate military value of anti-personnel landmines in disregard of the real conditions and place a comprehensive ban on landmines, the security of some countries will be diminished.

Fourthly, we must take into account both humanitarian considerations and legitimate self-defence and we should deal with those two aspects in a balanced manner. We recognize that landmines may inflict heavy damage on many innocent civilians in countries at war or in periods of post-war construction. But the way to proceed is to prevent the indiscriminate use of such mines and strengthen international cooperation in mine clearance. China has provided and will continue to provide assistance to other countries in mine clearance within its capabilities. The Chinese delegation maintains that preventing foreign aggression, protecting national security and ensuring that people live in peace are also important humanitarian elements.

Fifthly, the task now facing the international community is to ensure adherence to the newly amended Protocol II on landmines. That Protocol already places some important and meaningful restrictions on landmines, particularly anti-personnel landmines. These, together with international mine-clearance efforts, will effectively prevent the indiscriminate use of anti-personnel landmines and eliminate their consequences. It must be pointed out that that Protocol is the best result that can be achieved at this stage. China will review comprehensively in a serious and responsible manner the amended Protocol and consider its ratification.

It must not be forgotten that the Convention on Certain Conventional Weapons has only about 60 signatories to date and is therefore far from being a universal convention. Under those circumstances, the Chinese delegation believes that any talk of a comprehensive ban on anti-personnel landmines is premature. Indeed, the Chinese delegation is against a comprehensive ban on anti-personnel landmines.

I would like to take this opportunity to express our view that the Chinese delegation will support the draft amendments proposed by the delegation of Cuba, as contained in document A/C.1/51/L.50. The Chinese delegation believes that the draft amendments make good sense.

**Ms. Ghose** (India): We have joined other delegations in sponsoring draft resolution A/C.1/51/L.16, "Measures to curb the illicit transfer and use of conventional arms". We feel that it is extremely important that this draft resolution be adopted by consensus. I think that the success in the Disarmament Commission in adopting the guidelines referred to in the text of the draft resolution is a hopeful indicator towards that end.

We are also extremely happy that this draft resolution includes an invitation for the enactment of national legislation so that the arms bazaar that now exists, which adversely affects all States, can be eradicated.

We are also sponsors of draft resolution A/C.1/51/L.40 on the Convention on Certain Conventional Weapons. All of us here are aware of how hard the negotiations were before we finally reached agreement, in May of this year, on a strengthened Protocol II. We are in the process of examining the ratification of the amended Protocol II of the Convention.

We would also like to make some comments on draft resolution A/C.1/51/L.46. My delegation will support the draft resolution, since we are in favour of the goal of a total ban on anti-personnel landmines. However, in our view there is a need for the international community to address not only the humanitarian aspects of the issue of landmines but also the legitimate security requirements of some States.

From the humanitarian point of view, we favour a complete and immediate ban on the indiscriminate use of anti-personnel landmines. This is a proposal we had put forward during the negotiations on amended Protocol II of the Convention on Certain Conventional Weapons. However, the goal as identified in this draft resolution is a ban on all such use, including use in self-defence, such as in guarding borders. This goal, we believe, can perhaps be achieved in a phased manner, banning initially and

immediately such use as may impact on civilians and other non-combatants. We have already made a proposal to this effect in the Committee, a proposal we hope will receive serious consideration when negotiations on a treaty start.

We ourselves have proposed to the original sponsors some amendments, some along the lines of the ones proposed by the delegation of Cuba, which reflected our concerns: the need for a universal, non-discriminatory treaty negotiations on which would take into account the legitimate defence needs of States. Had these suggestions been incorporated, we would have been happy to have joined the list of sponsors of draft resolution A/C.1/51/L.46. We are of the view that the initiative taken in that text is a timely one and a responsible response to the immense human suffering inflicted by anti-personnel landmines in certain areas of the world. Our support for the draft resolution is an indication of our desire to be involved in the negotiation of a treaty banning anti-personnel landmines in whichever forum the multilateral negotiations may take place.

Our objective is to work towards a universal treaty. Agreement by just a few States would fall short of the desired goal of this draft resolution and could, in fact, be eventually ineffective and have a limited impact on the humanitarian need for a universal ban. We hope, therefore, that we, the international community, will be able to deal with this subject with the prudence, patience and sensitivity that is demanded of such an important undertaking.

**Mr. Paek** (Republic of Korea): My delegation wishes to make a brief comment on draft resolution A/C.1/51/L.46. As my delegation has stated on various occasions, including during the general debate in this Committee, we share the deep concern of the international community over the scourge of anti-personnel landmines, which not only inflict great suffering and death on innocent civilians, especially children, but also pose a tremendous obstacle to the economic and social development and reconstruction of affected regions.

In this context, my Government has actively participated in the international effort to minimize the tragic humanitarian consequences of these weapons. Specifically, my Government has contributed to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance and recently expanded its export moratorium on anti-personnel landmines for another year.

Furthermore, we are now giving positive consideration to accession to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, including its amended Protocol II, because of its humanitarian merits.

While fully recognizing that all anti-personnel landmines should eventually be eliminated from the face of the Earth, my delegation regrets that the existing security situation on the Korean peninsula and the absence of suitable alternatives preclude my country from fully subscribing to the ongoing initiative to achieve a total ban on anti-personnel landmines.

My delegation believes that the legitimate security concerns of those countries that cannot but rely upon anti-personnel landmines for their self-defence should be duly taken into account in pursuit of an international agreement to ban anti-personnel landmines. In this way, we can look forward to an international agreement that enjoys the broadest possible adherence by countries in support of its intended objective of eliminating anti-personnel landmines.

**Mr. Akram** (Pakistan): I would like at this stage to offer a few brief remarks on draft resolutions that are to be taken up under cluster 3.

First of all, with regard to draft resolution A/C.1/51/L.16, my delegation will support that draft resolution strongly. We take into account in particular the provisions of the fifth preambular paragraph, which states that peace and security are inextricably interlinked, and the sixth preambular paragraph, which underlines the urgent need to resolve conflicts and to diminish tension with a view to maintaining regional and international peace and security.

We believe that the best approach in controlling the illicit transfer of arms is to try first of all to promote peace and security in countries or regions of tension.

In such cases of turbulence and internal conflict it would be useful to impose not only national control measures but, more effectively, international embargoes in order to contain and arrest the escalation of these conflicts. External interference that seeks to escalate such conflicts does not serve the purposes of draft resolution A/C.1/51/L.16.

I should also like to offer a few brief comments on the issue of anti-personnel landmines, which is addressed in both draft resolutions A/C.1/51/L.40 and L.46. The negotiations that in May 1996 resulted in the adoption of the amended Protocol II to the Convention on Certain

Conventional Weapons were difficult and complex. A proposal for a complete ban on anti-personnel landmines was included in the rolling text during those negotiations. It was ultimately realized that this would not result in an agreement. Pakistan participated actively throughout the process at both the diplomatic and the expert levels. This reflected our desire, which is as strong as anyone else's, for appropriate measures to address the global problem of landmines and the tragedy to which it has led, especially in countries that neighbour Pakistan.

We favour the matter of a prohibition of anti-personnel landmines being kept under close multilateral review and consideration. We were therefore prepared to accept a proposal to ask the Conference on Disarmament, which is the single multilateral negotiating body on disarmament, to consider the proposal for an eventual ban on anti-personnel landmines. It is our view — and we wish to state this quite clearly — that a ban on anti-personnel landmines negotiated without the participation and concurrence of certain key countries would be meaningless. It should be noted that a number of such countries are not prepared at the moment to accept a complete ban on anti-personnel landmines. To proceed unilaterally or partially, therefore, would in our view be counter-productive. The first priority for the international community at this stage is to secure universal adherence to the amended Protocol II of the Convention on Certain Conventional Weapons.

Draft resolution A/C.1/51/L.46 has over 100 sponsors. However, it should be noted that the amended Protocol II of the Convention on Certain Conventional Weapons has only half that many adherents. We therefore hope that those sponsors of this draft resolution that are not parties to the Convention will, as a first step and as a signal of their commitment to the cause they have espoused, adhere to the Convention.

We believe that at the present moment we should seek the full implementation of the call in the Final Document of the Review Conference of the States Parties to the Convention on Certain Conventional Weapons for greater efforts and resources to develop effective programmes to address the existing problems associated with landmines and mine-clearance operations. It is true that mines are killing people. If this is the concern, we would hope that there would be a greater commitment to an international programme for mine clearance in those countries where people are actually dying. There should also be a greater adherence to the objective of transferring technology in order to make it possible to clear landmines and to develop alternatives to the use of anti-personnel landmines.

Pakistan therefore agrees with the objectives of draft resolution A/C.1/51/L.46. However, we believe that the approach that is suggested therein will not be likely to lead to a complete agreement on this issue and could prove counter-productive, in view of the security interests of certain important countries. The Pakistan delegation will therefore support the amendment that has been suggested by Cuba in document A/C.1/51/L.50 with regard to the principle of self-defence. Unfortunately, we will not be in a position to support the draft resolution as contained in A/C.1/51/L.46 at the present time, for the reasons I have explained.

*The meeting rose at 12.20 p.m.*